



Setti D. Warren  
Mayor

## City of Newton, Massachusetts

### Department of Planning and Development

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Candace Havens  
Director

### PUBLIC HEARING MEMORANDUM

Public Hearing Date:	July 9, 2013
Land Use Action Date:	September 17, 2013
Board of Aldermen Action Date:	September 23, 2013
90-Day Expiration Date:	October 7, 2013

DATE: July 5, 2013

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development  
Alexandra Ananth, Chief Planner Current Planning  
Stephen Pantalone, Senior Planner

SUBJECT: **Petition #214-13**, Linda Heffner, for a SPECIAL PERMIT/SITE PLAN APPROVAL for an accessory apartment in the loft of an existing detached carriage house and for exterior alterations (reconfiguring existing dormers) at **15 Farlow Road**, Ward 7, Newton, on land known as SBL 72, 37, 01, containing approximately 28,913 sq. ft. of land, in a district zoned SINGLE RESIDENCE 1. Ref: 30-24, 30-23, 30-d8(d)(2) and (d)(2)(b) of the City of Newton Rev Zoning Ord, 2012

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



**15 Farlow Road**

### **EXECUTIVE SUMMARY**

The property at 15 Farlow Road consists of a 28,913 square foot lot improved with a 2½-story single-family residence, and a two-story detached accessory structure at the rear. The main residence is a colonial style house, and the detached structure is a carriage house. The petitioner is seeking to allow an accessory apartment on the second story of the detached structure, and to make exterior alterations to the detached structure by special permit.

The detached structure is approximately 1,650 square feet, and is currently used as a garage. The petitioner proposes to convert the second story of the structure into a 770 square foot accessory apartment, and to add separate entrances for the apartment. The petitioner also proposes to reconfigure the existing four dormers on the exterior of the detached structure in order to accommodate the kitchen, bedroom and living area, and to make other minor changes to the exterior that maintain the character of the structure.

Since the accessory structure is already in place, the Planning Department believes that reusing the existing structure will have a minimal impact on the neighborhood. The proposed reuse is preferable to allowing the structure to remain vacant while deteriorating to the point where it could potentially become a public nuisance or hazard. Furthermore, modest-sized units add to the diversity of housing options available in Newton.

The detached structure is a carriage house, which is a threatened class of historic buildings. Frequently unused or under-used they are often neglected and demolished, in some cases they are ordered condemned by the Inspectional Services Department due to unsafe conditions. The Demolition Delay Ordinance has proven largely ineffective in preserving carriage houses, as they are not principal buildings on a lot and can be left to deteriorate, with limited interest in their reuse. The Newton Historical Commission is very concerned with the preservation of these buildings and strongly supports their adaptive reuse as offices and dwelling units.

#### **I. SIGNIFICANT ISSUES FOR CONSIDERATION**

When hearing this request, the Board should consider whether:

- The proposed accessory apartment in a detached structure will not adversely affect the neighborhood for the following reasons:
  - The structure already exists and no significant exterior alterations are proposed.
  - Reusing the existing structure ensures that it will be maintained and will not become a nuisance.
  - The proposal is consistent with the 2007 *Newton Comprehensive Plan*, as it will help to preserve the existing housing stock while increasing the diversity of housing options available in the City.

## II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

### A. Neighborhood and Zoning

The property is located at the corner of Farlow Road, Waverley Avenue, and Kenrick Street in Newton Corner. It is within an area zoned Single Residence 1. Land use in the area is primarily single-family residential but transitions to two-family residential, and then multi-family residential closer to the Mass Pike.

### B. Site

The site consists of 28,913 square feet of land and is a corner lot surrounded by three streets. The main residence is a 2½-story colonial style house circa 1904 of approximately 5,090 square feet, and is located in the middle of the lot. The entrance to the main residence faces Farlow Road and is accessed by a paved driveway. An approximately 8 foot tall wood fence runs from the west side of the main residence structure within 5 feet of and along the rear lot line (Kenrick Street), which creates an enclosed backyard. The fence runs to the detached structure, which is located towards the rear of the lot and is accessible from Kenrick Street or from the main residence. The remainder of the lot is vegetated, including several large trees. The site slopes down from Farlow Road to Kenrick Street and Waverly Road.

The two-story detached structure is located towards the rear of the property and contains approximately 1,650 square feet. The detached structure has garage doors that face Kenrick Street and the main residence.

## III. PROJECT DESCRIPTION AND ANALYSIS

### A. Land Use

The property is currently being used as a single-family residence and the petitioner is seeking to permit an accessory apartment in the detached structure.

### B. Building and Site Design

The petitioner is proposing to rehab the detached structure to accommodate an accessory apartment on the second story. The detached structure currently functions as a three-car garage on the first story, and an open attic space on the second story. The interior of the second story will be converted into a 770 square foot accessory apartment and will include a bedroom, kitchen, living space, and bathroom. The petitioner is not proposing to expand the structure other than adding a small open deck and stairs on the side of the structure that faces the main residence, which will serve as a separate entrance for the occupants.

The exterior work will include some façade improvement, new entrances, the

replacement of the cupola, and the reconfiguration of dormers. The proposed exterior work will allow for a functional accessory apartment and should add to the overall appearance of the structure.

It should be noted that the occupants of the accessory apartment will have a view of the backyard of the adjacent property to the east through the dormer window. However, the view will be partially screened by the large trees on the property line during the summer months when the neighbors are most likely to be using their yard. The petitioner indicated that they've spoken with the neighbors about the project, and the neighbors have not raised concerns regarding views from the accessory apartment to their property. The Planning Department does not have any significant concerns with this proposal.

C. Parking and Circulation

The proposed use of the property requires a total of three parking spaces on-site. The petitioner is proposing to maintain three parking spaces within the first floor of the detached structure.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum, (**ATTACHMENT A**), provides an analysis of the proposal with regard to zoning. The petitioner is requesting special permits to allow an accessory apartment in a detached structure and for alterations to the structure.

B. Comprehensive Plan:

The proposed project would help preserve the existing structure while increasing the diversity of housing options available in the City.

C. Engineering Review:

As the petitioner is not increasing the impervious surfaces on the lot by more than 4% no engineering review is required at this time.

D. Fire Department Review:

The Fire Department should review the proposed project prior to the issuance of a building permit.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioner is seeking the following reliefs:

- Section 30-8(d)(2) to allow an accessory apartment in a detached structure.

- Sections 30-8(d)(2)(b) to allow exterior alterations to a detached structure for use as an accessory apartment.

VI. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

**ATTACHMENTS**

**Attachment A:** Zoning Review Memorandum  
**Attachment B:** Zoning Map  
**Attachment C:** Land Use Map



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## Attachment A

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Candace Havens  
Director

### ZONING REVIEW MEMORANDUM

Date: May 23, 2013

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Eve Tapper, Chief Planner for Current Planning

ET

Cc: Peter Wright, architect representing the applicant  
Candace Havens, Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: Request to establish an accessory apartment in a detached carriage house

	SBL: 72 37 01

#### BACKGROUND:

The property at 15 Farlow Road consists of a 28,913 square foot lot improved with a single-family dwelling and carriage house constructed in 1904. The applicant proposes to convert existing attic space in the four-car carriage house into a 770 square foot accessory apartment. The existing four dormers will be reconfigured to accommodate the kitchen, bedroom and living area.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Peter Wright, architect, submitted 4/18/13
- Architectural plans, prepared by Peter Wright, architect, undated
  - Existing site plan
  - Proposed site plan
  - Existing garage plan
  - Proposed garage plan
  - Existing side entry elevation
  - Proposed side entry elevation
  - Existing loft plan

- Proposed loft plan
- Existing Kenrick Street elevation
- Proposed Kenrick Street elevation
- Existing rear elevation
- Proposed rear elevation
- Existing Farlow Road elevation
- Proposed Farlow Road elevation
- Area calculations, prepared by Peter Wright, architect, dated 4/17/13
- History of the property, prepared by Linda Heffner, undated

#### **ADMINISTRATIVE DETERMINATIONS:**

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1. The existing single-family structure is located in an SR1 district. Per section 30-8(d)(2), a special permit is required to create an accessory apartment in a detached structure accessory to a single-family dwelling.
2. The applicant proposes to reconfigure existing dormers to accommodate the interior living space. Section 30-8(d)(2)(b) requires a special permit for exterior alterations to a detached structure to be used as an accessory apartment.
3. Section 30-8(d)(1)(a) requires that an accessory apartment be located within a single family dwelling and one of the two units must be occupied by the owner of the property. The owner of the property intends to maintain residency in the main dwelling.
4. Section 30-8(d)(1)(b) requires a single-family dwelling to have been constructed at least ten years prior to the date of application for the permit for the accessory apartment. The dwelling was built in 1904 and thus meets the requirement.
5. The proposed accessory unit is 770 square feet, which is greater than the minimum of 400 square feet, and less than the maximum of 1,200 square feet required by the ordinance per Section 30-8(d)(2)(a).
6. The applicant proposes to maintain three parking spaces within the first floor of the carriage house. Sections 30-8(d)(1)(h), 30-19(d)(1) and 30-19(d)(19) require two parking stalls for the single-family dwelling, and one stall for the accessory unit, therefore no parking waivers are required.

<b>Zone SR1</b>	<b>Required/Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Lot Size	25,000 square feet	28,912 square feet	No change
Frontage	100 feet	233 feet	No change
Setbacks for existing structure			
• Front	25 feet	<b>30.9 feet</b> (Farlow St)	No change
		<b>25.1 feet</b> (Kenrick St)	No change
• Side	12.5 feet	<b>11.1 feet</b>	No change

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§30-8(d)(2)	Creation of an accessory apartment in a detached structure accessory to a single-family dwelling	S.P. per §30-24
§30-8(d)(2)(b)	Exterior alterations to a detached structure to be used as an accessory apartment	S.P. per §30-24



# Zoning Map 15 Farlow Rd.

*City of Newton,  
Massachusetts*

## Legend

- Streets - Pavement Edge
- Single Residence 1
- Building Outlines



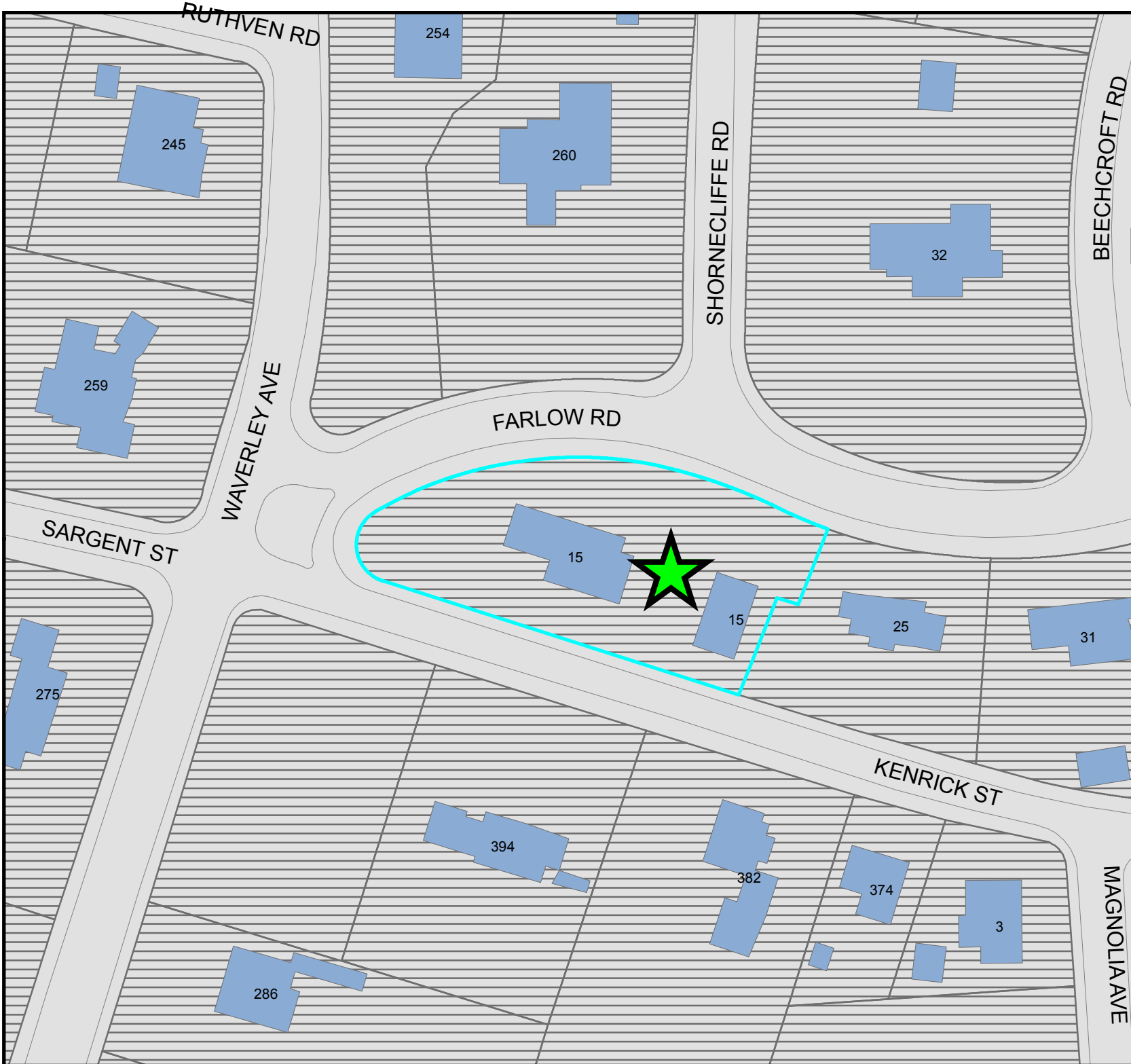
The information on this map is  
Geographic Information System  
Newton cannot guarantee the  
information. Each user of this n  
for determining its suitability for  
purpose. City departments will  
approve applications based sol

CITY OF NEWTON, MAS  
Mayor - Setti D. Warren  
GIS Administrator - Dougl

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Map Date: July 01, 2013

ATTACHMENT B



# Land Use Map 15 Farlow Rd.

*City of Newton,  
Massachusetts*

**Legend**

— Streets - Pavement Edge

■ Building Outlines

**Land Use**

▨ Single Family Residential

▩ Multi-Family Residential

▲ Mixed Use

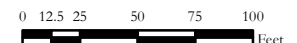
● Nonprofit Organizations

□ Vacant Land



The information on this map is Geographic Information System data. The City of Newton cannot guarantee the accuracy of the information. Each user of this map is responsible for determining its suitability for their purpose. City departments will not be responsible for approving applications based solely on this map.

CITY OF NEWTON, MASSACHUSETTS  
Mayor - Setti D. Warren  
GIS Administrator - Douglas J. Warren



Map Date: July 01, 2013

ATTACHMENT C

